

**REMARKS**

In light of the following remarks and above amendments, reconsideration and allowance of this application are respectfully requested.

It is submitted that these claims, as originally presented, are patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 USC §112. Changes to these claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

Claims 2-9 and 12-17 and amended claims 1, 10 and 11 are in this application.

Claims 18-20 are newly added.

At paragraph 3 of the outstanding Final Office Action of October 7, 2003, the Examiner rejected claims 1, 4, 10, 11, 13 and 14 under 35 U.S.C. § 102(b) as being anticipated by Sugiyama et al. (U.S. Patent No. 5,633,723). Applicants respectfully traverse the rejection.

Amended independent claim 1, recites in part, “A video recording apparatus comprising...recording mode switching means for switching the recording from recording the composite video image to a full recording mode for recording one of said video images when a predetermined condition for said one of said video images is met.” (Underlining and Bold added for emphasis.)

It is respectfully submitted that Sugiyama teaches a video printer which facilitates deleting an image displayed on a monitor in an entire area or in a section of a frame by muting the video data with predetermined mute data (column 1, lines 10-14). Further, even though the

mosaic print mode of the video printer has four sub-frames displaying four images, the video printer does not have a recording mode switching means for switching the composite video image of figures 3 and 4 to a full recording mode for recording one of the four video images, as does amended independent claim 1. Sugiyama is only concerned with deleting certain frames because sometimes it is necessary to revise an image in a certain memory location by rewriting that image in that specific memory location with another image (column 1, lines 46-52). On the other hand, one of the objects of the present invention is to switch the recording mode from a normal mode to an emergency mode when an emergency is detected by an abnormality detecting sensor. The present invention is not concerned with replacing images but with switching between two modes of operation when a certain event occurs. Support for this feature of the invention can be found at page 15, line 11 to page 16, line 10 of the present specification. Therefore, amended independent claim 1 is believed to be distinguishable from Sugiyama.

For reasons similar to those described above with regard to amended independent claim 1, amended independent claims 10 and 11 are also believed to be distinguishable from Sugiyama.

Further, claims 4, 13 and 14 depend either directly or indirectly from one of independent claims 1, 10 and 11 and, due to such dependency, are also believed to be distinguishable from Sugiyama for at least the reasons previously described.

Applicants therefore respectfully request the rejection of claims 1, 4, 10, 11, 13 and 14 under 35 U.S.C. §102(b) be withdrawn.

At paragraph 5 of the outstanding Final Office Action of October 7, 2003, the Examiner rejected claims 5, 7, 8 and 16 under 35 U.S.C. § 103(a) as being unpatentable over

Sugiyama et al. in view of Kono et al. (U.S. Patent No. 5,187,589). Applicants respectfully traverse the rejection.

Claims 5, 7, 8 and 16 are dependent from one of amended independent claims 1, 10 and 11 and, due to such dependency, are also believed to be distinguishable from Sugiyama for at least the reasons previously described. The Examiner did to rely on Kono to overcome the above-identified deficiencies of Sugiyama. Therefore, claims 5, 7, 8 and 16 are believed to be distinguishable from the applied combination of Sugiyama and Kono.

Applicants therefore respectfully request the rejection of claims 5, 7, 8 and 16 under 35 U.S.C. §103(a) be withdrawn.

At paragraph 6 of the outstanding Final Office Action of October 7, 2003, the Examiner rejected claims 6 and 15 under 35 U.S.C. § 103(a) as being unpatentable over Sugiyama et al. in view of Yamamoto (U.S. Patent No. 5,469,270). Applicants respectfully traverse the rejection.

Claims 6 and 15 are dependent from one of amended independent claims 1, 10 and 11 and, due to such dependency, are also believed to be distinguishable from Sugiyama for at least the reasons previously described. The Examiner did to rely on Yamamoto to overcome the above-identified deficiencies of Sugiyama. Therefore, claims 6 and 15 are believed to be distinguishable from the applied combination of Sugiyama and Kono.

Applicants therefore respectfully request the rejection of claims 6 and 15 under 35 U.S.C. §103(a) be withdrawn.

At paragraph 7 of the outstanding Final Office Action of October 7, 2003, the Examiner rejected claims 9 and 17 under 35 U.S.C. § 103(a) as being unpatentable over

Sugiyama et al. in view of Kono et al. and further in view of Yamamoto. Applicants respectfully traverse the rejection.

Claims 9 and 17 are dependent from one of amended independent claims 1, 10 and 11 and, due to such dependency, are also believed to be distinguishable from Sugiyama for at least the reasons previously described. The Examiner did to rely on Kono and Yamamoto to overcome the above-identified deficiencies of Sugiyama. Therefore, claims 9 and 17 are believed to be distinguishable from the applied combination of Sugiyama, Kono and Yamamoto.

Applicants therefore respectfully request the rejection of claims 9 and 17 under 35 U.S.C. §103(a) be withdrawn.

Applicants have further added new claims 18-20. Applicants submit that the 35 U.S.C. 102(b) and 103(a) rejections relied upon by the Examiner do not apply to claims 18-20, and submit that the rejection of these claims over 35 U.S.C. 102(b) and 103(a) would be improper.

It is to be appreciated that the foregoing comments concerning the disclosures in the cited prior art represent the present opinions of the applicants undersigned attorney and, in the event, that the Examiner disagrees with any such opinions, it is requested that the Examiner indicate where in the reference or references, there is the bases for a contrary view.

Please charge any fees incurred by reason of this response and not paid herewith to  
Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP  
Attorneys for Applicant(s)

By

  
Gordon Kessler  
Reg. No. 38,511  
(212) 588-0800